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#4

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : George Friedman.

Application No. : 09/638,828

Filed : August 14, 2000

Entitled : METHOD AND SYSTEM
FOR WEB BASED
SOFTWARE OBJECT
TESTING

Docket No : EMPIR-013PUS

Petition Under 37 CFR 1.137(b)

Group Art Unit: Not Yet Assigned

Examiner: R. Hayden

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail with sufficient postage in an envelope Addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

18-July-2002

Date of Signature
and Mail Deposit

By:

David W. Rouille

David W. Rouille
Reg. No. 40, 150

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

PETITION FOR REVIVAL OF UNINTENTIONALLY ABANDONED
PATENT APPLICATION

Applicant hereby petitions for revival of the above-identified patent application which has now become abandoned by Applicant's failure to respond to the outstanding Notice to File Missing Parts from the United States Patent and Trademark Office. The undersigned avers that the application was unintentionally abandoned.

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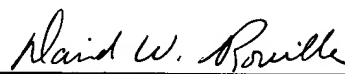
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Applicant have included herewith the petition fee, and a response to the outstanding
Notice to File Missing Parts.

Authorization is hereby granted to charge Deposit Account No. 50-0845 any additional
fees.

Respectfully submitted,

Dated: 18-July-2002



David W. Rouille
Registration No. 40,150
Attorney for the Applicant(s)
Daly, Crowley & Mofford, LLP
275 Turnpike Street - Suite 101
Canton, MA 02021-2310
Telephone: (781) 401-9988 x25
Facsimile : (781) 401-9966

DWR/cae
Enclosure

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Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<p align="center">TRANSMITTAL FORM</p> <p align="center"><i>(to be used for all correspondence after initial filing)</i></p>		Application Number	09/638,828
		Filing Date	August 14, 2000
		First Named Inventor	George Friedman
		Group Art Unit	Not Yet Assigned
		Examiner Name	R. Hayden
Total Number of Pages in This Submission	11	Attorney Docket Number	EMPIR-013PUS

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return-receipted postcard
Remarks In the event a petition for extension of time is required by this paper and not otherwise provided, such petition is hereby made and authorization is provided herewith to charge deposit account No. 50-0845 for the cost of such extension.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	David W. Rouille Daly, Crowley & Mofford, LLP
Signature	<i>David W. Rouille</i>
Date	18-July-2002

CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: <u>18-July-2002</u>	
Typed or printed name	David W. Rouille
Signature	<i>David W. Rouille</i>
Date	18-July-2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032
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FREE TRANSMITTAL **for FY 2002**

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) **705**

Complete if Known

Application Number	09/638,828
Filing Date	August 14, 2000
First Named Inventor	George Friedman
Examiner Name	R. Hayden
Group Art Unit	Not Yet Assigned
Attorney Docket No.	EMPIR-013PUS

METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number **50-0845**
- Deposit Account Name **Daly, Crowley & Mofford, LLP**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ **Payment Enclosed:**
- ☒ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee	
106 330	206 165	Design filing fee	
107 510	207 255	Plant filing fee	
108 740	208 370	Reissue filing fee	
114 160	214 80	Provisional filing fee	

SUBTOTAL (1) (\$) **0**

2. EXTRA CLAIM FEES

Total Claims -20** = X =

Independent Claims -3** = X =

Multiple Dependent =

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 84	202 42	Independent claims in excess of 3
104 280	204 140	Multiple dependent claim, if not paid
109 84	209 42	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) **0**

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	65
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 400	216 200	Extension for reply within second month	
117 920	217 460	Extension for reply within third month	
118 1,440	218 720	Extension for reply within fourth month	
128 1,960	228 980	Extension for reply within fifth month	
119 320	219 160	Notice of Appeal	
120 320	220 160	Filing a brief in support of an appeal	
121 280	221 140	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,280	241 640	Petition to revive - unintentional	640
142 1,280	242 640	Utility issue fee (or reissue)	
143 460	243 230	Design issue fee	
144 620	244 310	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 740	249 370	For each additional invention to be examined (37 CFR § 1.129(b))	
179 740	279 370	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify) _____

***Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$)** **705**

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SUBMITTED BY

Name (Print/Type) **David W. Rouille**

Signature *David W. Rouille*

Registration No. **40,150**
(Attorney/Agent)

Complete (if applicable)

Telephone **781.401.9988 x 25**

Date **18-July-2002**

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

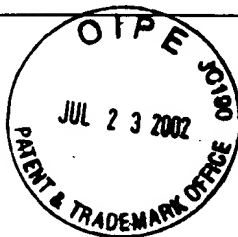
Applicant : George Friedman

Serial No. : 09/638,828

Filed : August 14, 2000

Entitled : METHOD AND SYSTEM FOR WEB
BASED SOFTWARE OBJECT TESTING

Docket No. : EMPIR-013PUS



Group Art Unit: Not Yet Assigned

Examiner: R. Hayden

Certificate of Mailing (37 C.F.R. 1.8(a))

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to: BOX MISSING PARTS, Assistant Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

18-July-2002

Date of Signature
and Mail Deposit

David W. Rouille

David W. Rouille
Reg. No. 40,150
Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Attention: Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Enclosed herewith is a response to the PTO Notice dated October 2, 2000.

If the Examiner has any questions regarding this submission or this application, please do not hesitate to contact the undersigned attorney.

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Application No.: 09/638,828
Filed: August 14, 2000
Group Art Unit: Not Yet Assigned

In the event any additional fee is required, please charge such amount to Patent and Trademark Office Deposit Account No. 50-0845.

Date: 18-July-2002

Respectfully submitted,

David W. Rouille

David W. Rouille
Attorney for Applicant(s)
Reg. No. 40,150
Daly, Crowley & Mofford, LLP
275 Turnpike Street, Suite 101
Canton, MA 02021-2310
Tel: (781) 401-9988, x25
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/638,828	08/14/2000	George Friedman	1313-US

Teradyne Inc
321 Harrison Avenue
Boston, MA 02118

FORMALITIES LETTER



OC00000005441458

Date Mailed: 10/02/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

07/25/2002 CNGUYEN 00000103 09638828

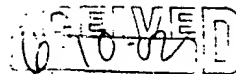
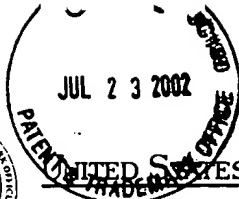
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COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/638,828	08/14/2000	George Friedman	1313-US

CONFIRMATION NO. 9533

22494
DALY, CROWLEY & MOFFORD, LLP
SUITE 101
275 TURNPIKE STREET
CANTON, MA 02021-2310

ABANDONMENT/TERMINATION
LETTER

OC000000008226289

Date Mailed: 06/04/2002

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 10/02/2000.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to "Office of Petitions" at (703) 305-9282.

*A copy of this notice **MUST** be returned with the reply.*

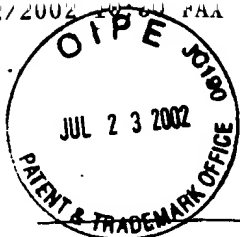
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Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

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DECLARATION AND POWER OF ATTORNEY FOR
UNITED STATES LETTERS PATENT APPLICATION

8/163882
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#5

As a below-named inventor, I, George Friedman, hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT TESTING** the specification which is attached hereto and identified as Attorney Docket No. EMPIR-013PUS.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

**EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC §119
			_ Yes No _
			_ Yes No _

**ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS
FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

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I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC §119(e)
60/151,418	08/30/99	<u>X</u> Yes No _
		_ Yes No _
		_ Yes No _

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United State Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (month, day, year)	Status (Patented/Pending/Abandoned)
09/482,178	01/12/00	Pending

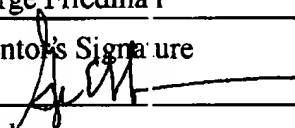
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. I hereby appoint:

Christopher S. Daly	Reg. No. 37,303
Judith C. Crowley	Reg. No. 35,091
Donald F. Mofford	Reg. No. 33,740
Paul D. Durkee	Reg. No. 41,003
Barry Gaiman	Reg. No. 42,562
Richard M. Sharkansky	Reg. No. 25,800
David W. Rouille	Reg. No. 40, 150
Kermit Robinson	Reg. No. 48,734
Robert V. Klauzinski	Reg. No. 42,742

all of Daly, Crowley & Mofford, LLP, 275 Turnpike Street - Suite 101, Canton MA 02021-2310, jointly, and each of them severally, my attorneys at law, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all telephone calls and address all correspondence to:

David W. Rouille
Daly, Crowley & Mofford, LLP
275 Turnpike Street - Suite 101
Canton, MA 02021
Telephone No. (781) 401-9988
Facsimile: (781) 401-9966

Full name of first or sole Inventor George Friedman	
Inventor's Signature 	Date 01/13/2002
Residence 19 Flanagan Drive, Framingham, MA 01701	
Country of Citizenship United States	